

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-37 are pending in this paper. Claims 34-37 are newly added. Claims 1, 11, 12, 14, 16, 25, 27, 28, and 31 are hereby amended. Support for this amendment is provided throughout the Specification, specifically at pages 13-17 and 33-35.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 12, 13, 25 and 26 are allowed.

**II. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. §103(a) and OBJECTIONS**

Claims 1, 4-5, 7, 9, 14, 17-18, 20, and 22 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,480,537 to Agrawal et al. (hereinafter, merely "Agrawal").

Claims 27-33 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,404,814 to Apostolopoulos et al. (hereinafter, merely "Apostolopoulos").

Claims 2, 6, 8, 10, 15, 19, 21, and 23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Agrawal in view of Apostolopoulos.

Claims 3, 11, 16, and 24 were objected to being dependent upon a rejected base claim but allowable if rewritten in independent form.

### III. RESPONSE TO REJECTIONS

The newly added claim 34 combines previous claim 1 and allowed claim 3. The newly added claim 35 combines previous claim 14 and allowed claim 16. The newly added claim 36 combines previous claim 1 and allowed claim 11. The newly added claim 37 combines previous claim 14 and allowed claim 24.

Claim 1 recites, *inter alia*:

**“wherein order and bytes of every predetermined unit are used in generating the time information”** (Emphasis added)

As understood by Applicant, Agrawal relates to encoding a real-time and non-real-time video stream, encapsulating the encoded video stream along with the decoding software corresponding to the encoding program into active packets at the Application and Services Layer.

As understood by Applicant, Apostolopoulos relates to transcoding a predictively-coded object-based picture signal representing a group of pictures by extracting a coded scene descriptor and coded object descriptors. A frame of a partially-encoded block based picture signal representing one of the pictures as a current picture is generated from the partially-decoded object descriptors.

Applicant respectfully submits that Agrawal and Apostolopoulos, taken either alone or in combination, fail to teach or disclose the above-identified features of claim 1. Specifically, nothing is found that teaches or discloses wherein order and bytes of every predetermined unit are used in generating the time information, as recited in claim 1 (emphasis added). Indeed, the art used as a basis of rejection is not directed to generating time information using order and bytes of the predetermined unit, as recited in claim 1.

Therefore, Applicant respectfully submits that claim 1 is patentable.

Claims 14, 27-28, and 31 are similar, or somewhat similar, in scope and are therefore patentable for similar, or somewhat similar, reasons.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

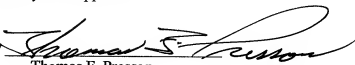
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicant respectfully submits that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By

  
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800